

B. Checklist Item (ii): Access to Network Elements – OSS

SWBT satisfies checklist item (ii) by providing “nondiscriminatory access to network elements” on an “unbundled basis at any technically feasible point on rates, terms and conditions that are just, reasonable, and nondiscriminatory.” 47 U.S.C. §§ 251(c)(3), 271(c)(2)(B)(ii); id. § 251(d)(1). This offer of leased access to individual components of SWBT’s local exchange network enables CLECs to serve their local customers almost immediately, without duplicating SWBT’s multi-billion dollar investment in local network infrastructure.

As discussed above in Part II.C, SWBT’s terms for access to UNEs are more generous than the law requires. SWBT’s offerings of access to unbundled loops, the NID, switching, transport, signaling and call-related databases, and operator services and directory assistance are discussed below under the appropriate checklist items. This section, however, addresses an issue not specifically included elsewhere in the checklist, and covered only briefly in Part II.B: access to SWBT’s OSS.

All of the electronic interfaces SWBT makes available to CLECs are being used today at commercial volumes. See Ham Aff. ¶ 249. In addition, and as described in Part II.B, those interfaces that had not yet been proven through commercial usage as of early 1999 were subjected to Telcordia’s intensive, independent review throughout 1999.

1. Pre-Ordering

SWBT’s offerings of access to OSS begin with pre-ordering. Pre-ordering is the exchange of information between SWBT’s systems and a CLEC to assist the CLEC’s negotiations with its end-user customer. Id. ¶ 52. Pre-ordering activities enable the CLEC to submit a complete and accurate service request to SWBT. Id.

In addition to manual processes for pre-ordering through the LSC and LOC, SWBT offers CLECs in Texas a choice of four “real time” electronic interfaces — Easy Access Sales Environment (“EASE”), DataGate, Verigate, and the industry standard Electronic Data Interchange (“EDI”)/CORBA interface. See Texas 271 Agreement Attach. 2, § 2, Attach. 7, §§ 2, 4; Ham Aff. ¶¶ 51-70. SWBT provides CLECs all necessary technical specifications for each of these interfaces. Ham Aff. ¶ 53.

EASE is the same award-winning on-line system SWBT’s retail service representatives use to accomplish pre-ordering tasks for residential customers with up to five lines and for business customers with up to thirty lines. Id. ¶ 55. EASE integrates ordering and pre-ordering functions into a single application and is available to CLECs for orders involving resold services. Id. ¶ 56. Between July 1997 and November 1999, CLECs successfully entered more than 1.1 million service orders directly into EASE. Id. ¶ 84 & Attach. P.

DataGate is an application-to-application electronic interface that is designed to be used by CLECs that have their own software programs or applications. Id. ¶¶ 60-67. DataGate allows CLECs to connect their mechanized OSS directly to SWBT’s systems, thereby minimizing the need for manual entry of data. See South Carolina Order, 13 FCC Rcd at 624, ¶ 157. SWBT currently is “front-ending” DataGate, which means that SWBT conforms the CLEC interface (the “front end”) of DataGate to existing national standards for EDI and CORBA. This allows CLECs to build their interfaces to national standards, while preserving the background application functionality, data content, and performance standards that SWBT has established for DataGate. Ham Aff. ¶ 68.

SWBT deployed its EDI/CORBA pre-ordering gateway on March 28, 1999. Id. Like EDI, CORBA is a structural protocol promulgated by the technical industry committees. Id.

EDI/CORBA is used to “front-end” (or overlay) SWBT’s proprietary DataGate interface, preserving its commercially proven functionality, data content, and performance standards while allowing for an industry standard application-to-application interface that can be integrated with CLECs’ own systems and that supports both resale services and UNEs. Id. The EDI/CORBA pre-ordering gateway can be integrated with SWBT’s EDI ordering gateway. Id. SWBT’s implementation of EDI/CORBA has followed the Change Management Process (discussed in section II.B, above). Id.

Performance data demonstrate that DataGate provides CLECs with an extremely high level of service: from August to October 1999, SWBT has met the benchmark for 38 of the 42 results shown by the 14 DataGate pre-ordering submeasurements, and SWBT has provided parity service for at least 2 of these 3 months for each of these 14 measures. See Dysart Aff. ¶ 93 & Attach. B Measurements 1-01 to 1-07, 2-01 to 2-07.

Above and beyond the requirements of the Act, SWBT also offers CLECs Verigate, a graphical user interface operating on Windows™. Id. ¶¶ 87-89; Dysart Aff. ¶ 114. Verigate uses the same data stream and processing systems as DataGate, and – like DataGate – provides CLECs with real-time access to the pre-ordering capabilities of SWBT’s OSS for resold services and UNEs. Verigate uses plain-English displays that were designed for CLECs that want to use the EDI or LEX ordering interfaces, but also do not want to develop their own software programs required for use of DataGate or EDI/CORBA. Ham Aff. ¶ 57.

DataGate and Verigate together have processed more than 3.7 million live commercial CLEC transactions, compared with 1.3 million transactions for Bell Atlantic-New York’s pre-ordering interfaces. Id. ¶ 10. Telcordia’s capacity testing revealed that at peak demand, the primary DataGate processor reached a maximum of only 40.7 percent utilization (for just five

minutes) and the maximum hourly average was just 23.7 percent of capacity. Telcordia Final Report at 112-13. Based on this test data, Telcordia concluded that CLEC orders would have to reach more than double the highest traffic recorded in capacity testing before DataGate's two secondary processors would be have to be used. Id. at 113.

2. *Ordering and Provisioning*

Once a CLEC has performed the necessary pre-order processes, it generally transmits a Local Service Request ("LSR") to SWBT. SWBT's ordering systems then formulate a service order (or, in some cases, allow the CLEC itself to create the order, without sending an LSR). Ham Aff. ¶ 72. While SWBT provisions the service order, CLECs have the capability to obtain order confirmation data, service order status, and service order completion information from SWBT. Id. ¶ 73. SWBT provides CLECs with a choice of four electronic interfaces for ordering and provisioning – EASE, EDI, LEX, and SORD – as well as the option to use EDI to integrate the CLEC's ordering systems with SWBT's back-end systems. EDI for ordering also can be integrated with DataGate for pre-ordering, which provides CLECs with a fully integrated pre-ordering/ordering system. See Texas 271 Agreement Attach. 2, §§ 2-3, Attach. 7, §§ 3-4; Ham Aff. ¶¶ 72-123. SWBT additionally accepts electronic orders for local interconnection trunks and dedicated facilities using the Access Services Request ("ASR") process. Ham Aff. ¶¶ 113-114.

Using EASE, CLECs may perform a full range of resale transactions for residential and most business customers. Id. ¶ 76. SWBT's service representatives use EASE for retail ordering and provisioning functions involving these same residential and business customers. Id. A supplemental interface, Service Order Retrieval Distribution Supplement ("SORDS"), allows

CLECs using EASE to supplement or modify pending service orders electronically. Id. ¶ 80.

AT&T has successfully tested this capability. Id.

SWBT's EDI Gateway is available for ordering and provisioning resold services and UNEs. Id. ¶¶ 93-100. This interface conforms to the national guidelines established by the Ordering and Billing Forum ("OBF"). Id. ¶¶ 93-94. New releases that conform to updated industry guidelines will be deployed in accordance with SWBT's Change Management Process, described in Part II.B, above. Id. ¶ 95.

CLECs submit instructions over the EDI Gateway in the form of LSRs. Once LSRs have passed initial automated edits by SWBT's systems, they are processed by SWBT's back-office systems and facilities and services are provisioned in exactly the same manner as for analogous SWBT retail orders. Id. ¶ 121. EDI Gateway allows CLECs providing resold services to perform service conversions, new connections with basic directory listings, and changes of service, disconnections, and to suspend order requests. Id. ¶ 95. UNE orders that can be accepted by SWBT's EDI interface include service conversions, new connects, changes, disconnects, outside moves, and records changes for unbundled local loops, number portability, and switch ports. Id. ¶ 96. SWBT returns status reports for LSRs (including error notices, firm order confirmations ("FOCs"), and service order completions ("SOCs")) through the EDI interface as well. Id. ¶¶ 147-161; Part II.B, above (discussing performance of notification returns).

In late 1999, Telcordia performed an independent test of SWBT's EDI documentation and other resources, and concluded (along with the participating CLECs) that these materials are "clear and comprehensive," in compliance with all applicable guidelines, and "easy to use and . . . readily available to CLECs to ensure successful implementation of EDI for the transmission

of Local Service Requests.” See Telcordia Technologies, Southwestern Bell EDI/LSR Documentation Analysis, Project No. 20000, Investigation of Southwestern Bell Telephone Company’s Entry into the Texas InterLATA Telecommunications Market (Tex. PUC filed Dec. 1999) (App. D, Tab 76).

The LEX system, another electronic interface available to CLECs for ordering, is a graphical user interface, operating on Windows™, that is based upon the national guidelines promulgated by the OBF. Ham Aff. ¶¶ 89-92. SWBT makes this interface available above and beyond the requirements of the competitive checklist to CLECs that do not have EDI capability, but nevertheless wish to use a nationally recognized ordering format, on-line access to create, maintain, and submit service requests electronically. Id. ¶ 90. Once CLEC LSRs entered in to LEX pass initial automated edits by SWBT’s systems, they are processed and services are provisioned in exactly the same manner as analogous SWBT retail orders. Id. ¶ 121. CLECs also can use LEX to receive acknowledgments and notification of error details from SWBT, and to track FOCs and SOC. Id. ¶ 89. Fifty-three CLECs submitted local service requests electronically using LEX from January to September 1999. Id. ¶ 92. From February 1998 to October 1999, CLEC LSRs sent to SWBT through LEX have resulted in nearly 138,000 posted orders. Id.

As part of the Texas PUC’s collaborative process, SWBT made a number of enhancements to both EDI and LEX to make the systems easier to use and to ensure parity with SWBT’s retail systems. For example, orders submitted by CLECs via LEX and EDI now are processed in real-time, as are the systems’ returns of FOCs and SOC to CLECs. Id. ¶ 153. SWBT also implemented mechanized interfaces to enable CLECs using EDI and LEX to receive jeopardy notices electronically. Id. ¶¶ 151-152; see generally Second Louisiana Order,

13 FCC Rcd at 20686 n.450; South Carolina Order, 13 FCC Rcd at 611 n.392. SWBT has updated its technical documentation to reflect enhancements to the LEX and EDI interfaces. Ham Aff. ¶ 97 & Attach. F.

Like EASE, the SORD ordering system available to CLECs is a system used by SWBT's retail operations. Id. ¶ 85. SORD enables CLECs to perform all ordering functions for resold services and UNEs, including certain complex ordering functions that EASE, EDI, and LEX cannot handle, as well as to supplement pending service orders. Id. Like SWBT's retail service representatives, CLECs use SORD by entering the appropriate Universal Service Order Codes ("USOCs") for their transactions. Id. ¶ 86.

Before SWBT's systems can create an order for a CLEC that is not using EASE or SORD, the CLEC's LSR must pass through an editing process performed by SWBT's Local Access Service Request ("LASR") system. Id. ¶¶ 137-138. LSRs that are of a type that can be processed mechanically then go to SWBT's Mechanized Order Generator ("MOG"), which performs another editing process and creates the necessary service order(s).

If an LSR submitted over EDI or LEX fails this automated edit process, the CLEC receives an error message across that same interface. Id. ¶¶ 138, 140. In addition, SWBT has developed an electronic interface, LASR GUI, that allows CLECs to receive an electronic notification from SWBT when an LSR is rejected through a manual SWBT process. Id. ¶¶ 147-150. This process, validated by Telcordia, Telcordia Final Report at 22, ensures the mechanized return of all manually initiated reject notifications. Ham Aff. ¶ 148.

Once orders have been entered and accepted for processing, they are assigned "due dates" in a nondiscriminatory fashion. Id. ¶¶ 186-190. CLECs may check the status of all pending orders electronically. Id. ¶¶ 115-120.

The vast majority of CLEC orders entered via electronic OSS interfaces “flow through” SWBT’s systems without manual intervention, on a nondiscriminatory basis. Id. ¶¶ 125-136. Performance data show that SWBT consistently provides parity of mechanized flow-through for EASE and EDI. Dysart Aff. ¶¶ 164-167 & Attach. B, Measurement 13. In October 1999, flow-through rates for MOG-eligible CLEC orders placed via EASE and EDI were above 95 percent, and superior to SWBT’s own flow-through rates. Ham Aff. ¶¶ 82-83, 112; Dysart Aff. ¶ 132. Data sampled from individual CLECs, discussed in the Affidavit of Elizabeth Ham, show uniform and steady improvement in CLECs’ ability to properly enter orders that flow through SWBT’s systems. Ham Aff. ¶¶ 127-130.

SWBT’s EDI and LEX interfaces process and return FOCs on a real-time basis: this means that if a CLEC electronically submits a complete and accurate, MOG-eligible LSR via EDI or LEX, the CLEC will receive a FOC within minutes. Ham Aff. ¶ 155; Dysart Aff. ¶ 133. Carrier-to-carrier testing conducted in June of 1999 showed the average time for these interfaces to return a FOC to be 19.8 minutes. Ham Aff. ¶ 155.

The Texas PUC set the benchmark for nondiscriminatory FOC returns at 95 percent within 5 hours for electronic orders for simple residence and business services, unbundled switch ports, and unbundled loops in quantities of less than 50. Dysart Aff. ¶ 136 & Attach. B. From August to October 1999, SWBT provided on-time (within 5 hours) FOCs for simple business and resale orders, as well as orders for 1-50 unbundled loops, 99.3 percent of the time. Id. ¶ 133.⁴⁸ CLECs, moreover, receive their requested due dates better than 96 percent of the time,

⁴⁸ For comparison purposes, the New York PSC’s benchmark for orders of 1 to 10 loops was 95 percent returned within 24 hours. Bell Atlantic did not meet this much more generous benchmark. See Bell Atlantic’s Canny/Dowell Reply Declaration, Attach. C (showing Bell

making them only incidentally dependent upon FOCs to quote their end users reliable due dates. Dysart Aff. ¶ 137.

CLECs also receive other types of notifications of the status of their transactions, well within the short intervals set by the Texas PUC. Ham Aff. ¶¶ 149-150; Dysart Aff. ¶¶ 125-131. For example, in August through October 1999, SWBT provided CLECs with mechanized rejection notices within one hour 100 percent of the time over LEX and more than 99 percent of the time over EDI; this exceeds the benchmark of 97 percent. Dysart Aff. ¶ 133 & Attach. B (Performance Measures 10-01, 10-02). Similarly, 12 months of data show that SWBT consistently returned mechanized completion notices within the established timeframe. See id. ¶¶ 151-154 & Attach. B (Performance Measures 7, 7.1).

3. *Maintenance and Repair*

SWBT provides CLECs a choice of two electronic interfaces for maintenance and repair, enabling them to report troubles and request repair of resale services and unbundled network elements, and to check on the status of these trouble reports. Ham Aff. ¶ 216. These interfaces are Toolbar Trouble Administration (“TBTA”) and Electronic Bonding Trouble Administration (“EBTA”). See Texas 271 Agreement Attachs. 3, 8; SWBT/AT&T Agreement Attach. 8, § 3; Ham Aff. ¶¶ 216-232. CLECs also have the option of calling the LOC to report any troubles and request maintenance or repair. See generally Conway Aff. ¶ 56.

Atlantic missing the 95-percent-returned-within-24-hours benchmark for September 1999); Bell Atlantic’s Canny/Dowell Declaration, Attach. D (showing same for July and August 1999).

On average, SWBT returns FOCs on time for manually processed orders 96.1 percent of the time. Dysart Aff. ¶ 135 & Attach. G. SWBT missed the benchmarks for these orders in the summer of 1999 for only a few categories, due to a reorganization of SWBT’s LSC during a period of relatively high CLEC demand in the summer of 1999. Id. Once the reorganization was completed, SWBT’s performance returned to normal. Id.

TBTA is a graphical user interface traditionally used by SWBT's business customers and interexchange carriers for maintenance and repair. Ham Aff. ¶ 220. TBTA affords CLECs the same capabilities as are available to SWBT's retail operations, for the same services. See id. ¶¶ 218-221; cf. New York Order ¶¶ 213, 215. These capabilities include submitting and checking on trouble reports, initiating mechanized loop tests, receiving test results for resold POTS lines and POTS-like UNE combinations, and obtaining trouble histories for POTS lines and UNEs, all without any manual intervention by SWBT. Ham Aff. ¶¶ 217-229. In October 1999, 18 CLECs used TBTA to perform over 22,700 maintenance and repair transactions (not including logons). Id. ¶ 228.

The second electronic maintenance/repair interface available to CLECs is EBTA, which conforms to national standards and, like TBTA, enables CLECs to submit trouble reports and receive trouble status updates and information relating to the closure of trouble tickets without any manual intervention. Id. ¶ 229. CLECs using EBTA may choose to integrate their side of the interface with their own back office systems in the same manner that SWBT has integrated its side of the EBTA interface with SWBT's own back office systems. Id. This is a capability that the Commission has not required BOCs to provide in order to satisfy the checklist. New York Order ¶ 215. AT&T, Sprint, and MCI WorldCom currently are utilizing EBTA for interexchange access services, and MCI WorldCom and Sprint also are using it for local service. Ham Aff. ¶ 230. SWBT has successfully "stress tested" EBTA at a volume of 4,000 trouble reports per day. Id. ¶ 231.

Performance data show that SWBT's maintenance and repair systems are providing CLECs ample opportunity to compete. For three straight months (August to October 1999) SWBT achieved parity of service across Texas with regard to both the speed with which SWBT

resolves CLEC trouble reports and the percentage of CLEC customers who are out of service for less than 24 hours. Dysart Aff. ¶¶ 405-408 & Attach. B.

4. *Billing*

SWBT offers CLECs a choice of five different electronic interfaces for billing, which allow them to bill their customers, to process their customers' claims and adjustments, and to view SWBT's bill for services provided to the CLEC. See Ham Aff. ¶¶ 234-247; Locus Aff.; see also Texas 271 Agreement Attachs. 4, 9; SWBT/AT&T Agreement Attach. 9, §§ 4-5. Using these interfaces, CLECs may obtain the information necessary to bill their customers, process claims and adjustments, and view SWBT's bill for services provided to CLECs. Ham Aff. ¶ 234. Each of the live interfaces is currently in commercial use. See id. ¶¶ 236-237 (Bill Plus), 238 (EDI), 240 (CABS/BOS), 243 (Bill Information), 244 (Usage Extract Feed). Through these interfaces and the range of available billing media, SWBT provides access to all usage data that CLECs have requested and SWBT's systems are capable of providing. Auinbauh Aff. ¶ 107; Locus Aff. ¶ 24.

SWBT performs audits to ensure that its billing systems for resold services and UNEs are functioning properly; additional toll audits ensure that toll and associated charges are correct on residence and business bills. Dysart Aff. ¶¶ 500-514. SWBT also measures the accuracy, completeness, and timeliness with which it provides billing and usage information. Locus Aff. ¶ 25. These measurements demonstrate that CLECs' access to SWBT's billing systems is at parity with the access afforded to SWBT's retail operations. Id. ¶ 25 & Attach. A. Of the 8 measurements associated with billing, SWBT met 7 in at least 2 out of the last 3 months. Dysart Aff. ¶ 501. Data for the lone non-parity measurement, Billing Completeness, show that the largest discrepancy between CLEC and SWBT retail performance was in October 1999, when

SWBT returned 98 percent of bills to CLECs and 99.2 percent to its own retail operations. Id. Such a difference, while statistically significant, has no appreciable impact on the provision of service by the CLEC to its customers because the overall performance for both the CLEC and SWBT retail is so high. Id.

Telcordia's testing of SWBT's billing systems further confirmed that SWBT is able to process, rate, and bill monthly recurring charges, usage charges, and one-time charges correctly for CLECs. Locus Aff. ¶ 23.

C. Checklist Item (iii): Poles, Ducts, Conduits, and Rights-of-Way

Section 271(c)(2)(B)(iii) requires a BOC to provide "[n]ondiscriminatory access to the poles, ducts, conduits, and rights-of-way owned or controlled by the [BOC] at just and reasonable rates in accordance with the requirements of section 224." 47 U.S.C.

§ 271(c)(2)(B)(iii). In satisfaction of this requirement, SWBT is furnishing 35 CLECs access to nearly 1.5 million duct-feet (nearly 280 miles) of conduit space and nearly 4800 poles in Texas. Habeeb Aff. Attach. E; Hearst Aff. ¶ 9 (App. A, Part A-2, Tab 4). This provisioning is "business as usual," because SWBT has had practices and procedures for providing access to its facilities in place for 20 years. See Hearst Aff. ¶ 4. As discussed below, SWBT uniformly satisfies the applicable performance requirements established by the Texas PUC.

The Master Agreement. SWBT's Master Agreement for access to poles, ducts, conduits, and rights-of-way, which has been incorporated into Texas PUC-approved interconnection agreements, establishes detailed rates, terms, and conditions of access. Id. ¶ 8; see also id. Attach. A (Master Agreement); Texas 271 Agreement Attach. 13. This agreement is the product of years of negotiations with cable providers pursuant to Section 224 of the Communications Act, as well as interconnection negotiations and arbitrations with CLECs pursuant to sections

251 and 252. Hearst Aff. ¶ 8. The Master Agreement is available to any CLEC. Id. SWBT will negotiate modifications or additions to the Master Agreement, upon request, and has entered into such customized agreements in Texas with AT&T and other carriers. Id.; see SWBT/AT&T Agreement Attach. 13. The Master Agreement and SWBT's state-approved interconnection agreements incorporate rates that were negotiated with cable operators and comply with the methodology set out in 47 U.S.C. § 224(d)(1). Hearst Aff. ¶¶ 32-34; Texas 271 Agreement Attach. 13, Ex. 1; see generally Report and Order, Amendment of Rules and Policies Governing the Attachment of Cable Television Hardware to Utility Poles, 2 FCC Rcd 4387 (1987), clarified, 4 FCC Rcd 468 (1989).

Evaluation of Facilities Requests. SWBT makes unassigned pole, duct, conduit, or right-of-way space available to all telecommunications carriers and cable operators, including SWBT itself, on a first-come, first-served basis. Hearst Aff. ¶ 11. SWBT evaluates CLECs' requests for access to poles, ducts, conduits, and rights-of-way by using the same capacity, safety, reliability, and engineering standards that apply to SWBT's own use of the facilities. Id. ¶ 16; see Texas 271 Agreement Attach. 13, App. Poles, Conduits, and Rights-of-Way Art. 8. SWBT has not denied any request for access to its facilities under the 1996 Act; in the event SWBT does deny access, it will do so in writing. Hearst Aff. ¶¶ 9, 19. Applications that do not require "make-ready" work or other modifications to SWBT facilities are granted immediately, upon verification that the space is available. Id. ¶ 20.

Performance. Two performance measurements – Percent of Requests Processed within 35 Days and Average Days Required to Process a Request – allow regulators and CLECs to monitor SWBT's responses to applications for space. See Dysart Aff. ¶¶ 623-624. The data for these measures show 100 percent nondiscriminatory performance in each of the last three

months. Id. Attachs. C & D. During the 12 months beginning in September 1998, SWBT processed 234 of 244 CLEC requests for access to its facilities within 35 days, well within the Texas PUC's benchmark of 90 percent within 35 days. Dysart Aff. Attach. C, Measurement 105. As already noted, SWBT typically processes CLEC requests for access to its poles, ducts, conduits, and rights-of-way in about 13 days. Id. Measurement 106. From January through October 1999, the average time to grant an application for access was 13.4 days. Hearst Aff. ¶ 19.

The Texas PUC determined in its collaborative process that SWBT has fully satisfied the requirements of checklist item (iii). See Final Staff Status Report on Collaborative Process, Investigation of Southwestern Bell Telephone Company's Entry into the Texas InterLATA Telecommunications Market, Project No. 16251 (Tex. PUC Nov. 18, 1998) (App. C, Tab 1233) ("Final Staff Report"). SWBT will continue providing nondiscriminatory access to poles, ducts, conduits and rights of way in accordance with the obligations established by its interconnection agreements. See Hearst Aff. ¶ 7.

D. Checklist Item (iv): Unbundled Local Loops

Checklist item (iv) requires a BOC to make available local loop transmission from central offices to customer premises, unbundled from local switching or other services. 47 U.S.C. § 271(c)(2)(B)(iv). As the Texas PUC has found, SWBT complies with this checklist item, and thereby allows CLECs to serve their customers without matching SWBT's large, sunk investments in copper wires and fiber-optic cables running to every customer premises. See Apr. 29, 1999 Open Meeting Tr. at 33-34 (App. C-1, Tab 184); Deere Aff. ¶¶ 64-98. As noted above, SWBT has provisioned more than 166,000 loops for CLECs, including more than 40,000 loops on a stand-alone basis (i.e., for CLECs with their own switches) and over 125,000 loops as part

of pre-assembled loop/port combinations. Habib Aff. Attach. E. SWBT offers CLECs a range of options for obtaining these loops on a pre-assembled basis or combining them with the CLEC's existing facilities, as Part II.D explained. SWBT also has implemented the nondiscriminatory processes and procedures for providing xDSL-capable loops, and associated information, that are described in Part II.D.

SWBT's Loop Offerings. Standard loop types available under SWBT's Texas PUC-approved interconnection agreements are 2-wire analog loops with 8db or 5db loss, 4-wire analog loops, 2-wire ISDN digital-grade lines, 4-wire DS-1 digital grade lines, and various 2- and 4-wire loops capable of offering xDSL services. Deere Aff. ¶¶ 86-87. CLECs may request additional loop types through the Special Request process described in Part V.A, above. Id. ¶ 87. SWBT uses alternative facilities to provide unbundled loops for the small percentage of end users in Texas who are served using integrated digital loop carrier ("IDLC") equipment. Id. ¶¶ 95-97.

For CLECs that choose to have SWBT provide loops on a physically separate basis, SWBT offers cross-connections that are matched to the loop type and arrangement selected by the CLEC. Id. ¶¶ 88, 151-165. For CLECs that use SWBT loops and SWBT switch ports in combination, SWBT provides electronic access to mechanized loop testing ("MLT"), which allows the CLEC to analyze and identify problems with its end users' lines. Id. ¶ 155; see Ham Aff. ¶¶ 219-220.

The NID and Subloop Unbundling. In addition to loops themselves, CLECs are able to obtain and use the NID under terms and conditions established by the Texas PUC. Deere Aff. ¶¶ 73-79. CLECs may connect to the customer's inside wire at SWBT's NID at no charge, or they may pay SWBT to perform NID repairs, upgrades, disconnects, or rearrangements they

desire. Id. ¶ 77. SWBT also provides and connects the NID at no additional charge when the CLEC orders an unbundled loop. Id. ¶ 78. Recognizing that CLECs likely will provide their own NID when serving multiple dwelling units (“MDUs”), moreover, SWBT will relocate or rearrange the SWBT NID at an MDU to allow access to inside wiring. Id. ¶ 79; Texas 271 Agreement Attach. 6, § 3.5.

SWBT permits CLECs in Texas to order sub-elements of the local loop on an unbundled basis. Deere Aff. ¶¶ 90-94. Available sub-elements include loop distribution (the segment of a loop between the end user’s premises and a remote terminal) on routes served by a digital loop carrier, id. ¶ 91; dark fiber and DS-1-conditioned 4-wire copper cable in the feeder segment of the loop, id. ¶ 92; and the digital loop carrier, id. ¶ 94. These sub-loop offerings will satisfy the Commission’s new sub-loop unbundling requirements, even though those requirements are not yet effective. See UNE Remand Order ¶¶ 206-229. Indeed, the UNE Remand Order approvingly cited the Texas PUC’s dark fiber and sub-loop unbundling requirements. Id. ¶¶ 199, 227 & n.445.

Pricing. The Texas PUC set SWBT’s prices for unbundled local loops in its Mega-Arbitration proceeding, based on cost studies supervised by the Texas PUC staff and in accordance with the TELRIC methodology. Auinbauh Aff. ¶ 136; Smith Aff. ¶¶ 10-11, 18, 22, 28, 40-41. In addition to these cost-based prices, moreover, SWBT encourages local competition in Texas by making available to interested CLECs, pursuant to the Commission’s SBC/Ameritech Merger Order, various discounts off of the Texas-PUC approved prices. These include a 25 percent discount for residential loops, a 50 percent discount for loops used to provide data services to customers of SWBT’s voice-grade services, and cumulative, OSS-

related discounts for loops used to provide advanced services. See SBC/Ameritech Merger Order ¶ 391.

Performance Measures. Comprehensive performance measurements confirm SWBT's ability to process orders, provision, and bill for unbundled loops, and that these transactions flow through SWBT's systems and are executed in a timely and accurate fashion. See Deere Aff.

¶ 98. Indeed, SWBT has met or surpassed the parity or benchmark level set by the Texas PUC for the vast majority of relevant monthly submeasures. See id. ¶¶ 140-141, 147-148 (FOC returns), 328 (average installation intervals), 336-341 (percentage of on-time installations), 345-360 (missed due dates), 361-375 (trouble reports), 492 (missed repair commitments), 493-498 (mean time to restore).⁴⁹ The exceptions include such reports as SWBT-caused missed due dates in Dallas/Fort Worth and South Texas, where 99.8 and 99.6 percent of CLEC orders were completed on-time, compared with a 99.9 percent rate for SWBT's retail operations. Id. ¶ 199. Such out-of-parity results are due, not to competitively significant differences, but to the skewed distribution of the measure close to 100 percent performance and the large size of the retail sample. Id.

Provisioning performance data show that SWBT has returned FOCs for at least 95 percent of loop orders submitted over the EDI interface within five hours in each of the last five months for which data is reported. Conway Aff. ¶ 81. In September 1999, SWBT averaged 14 minutes for returning these FOCs. Id. SWBT returned FOCs for at least 95 percent of manually submitted loop orders in less than 24 hours in nine of the last twelve months (the three months

⁴⁹ The volume of data for a number of relevant submeasures is insufficient to gauge SWBT's performance; this is a result of the disaggregated reporting sought by CLECs and ordered by the

missed were due to a reorganization in the LSC). Id. This compares favorably with Bell Atlantic's performance data, which show Bell Atlantic missing the blanket 24-hour benchmark approximately 30 percent of the time. Id.

Coordinated Conversions ("Hot Cuts"). Performance reporting also demonstrates SWBT's ability to perform conversions of its current customers' unbundled loops to CLECs' service in a timely manner and with no unnecessary disruption of service. See Dysart Aff. ¶¶ 650-660; Conway Aff. ¶ 94.

Beginning in January 2000, SWBT will report on a new performance measure that specifically assesses the length of time it takes physically to disconnect and connect service being cutover to a CLEC, and has particularly severe payment requirements in the event of sub-standard service. Dysart Aff. ¶ 659; Conway Aff. ¶ 87. Existing data, however, establish that SWBT consistently performs coordinated conversions of loops with number portability in a timely manner and without disconnecting customers before the CLEC is ready to initiate service.⁵⁰

SWBT has compiled records for all orders in Texas that involved a coordinated hot cut during August, September, or October 1999, and that identified both a start time and a stop time for cutting-over the customer from SWBT to the CLEC. Dysart Aff. ¶ 652. The data show that

Texas PUC. See generally Dysart Aff. ¶ 34. There is no reason to think that the loop measures for which sufficient data exist are not representative of overall performance.

⁵⁰Originally, SWBT converted its loops to CLEC service using only the coordinated conversion process. SWBT later introduced the Frame Due Time ("FDT") and 10-digit trigger processes for conversions. Coordinated conversion, however is still used in the vast majority of cases. Conway Aff. ¶ 79. The Texas PUC's performance measures currently track only coordinated conversions, although SWBT will be implementing new hot-cut measurements ordered by the Texas PUC. Id. ¶ 87; Dysart Aff. ¶¶ 650-662.

between 99 and 100 percent of the orders in each month had an average cutover interval (based on all loops in the order) of 2 hours or less. Id. ¶ 656. All of the orders in September and October, and 94 percent of the orders in August, were completed within 2 hours. Id. Even using a 1-hour standard for all loop conversions (a stricter standard than has been set by the New York Public Service Commission, for example⁵¹), SWBT still completed between 92 and 100 percent of orders with an on-time average interval. Dysart Aff. ¶ 655. Between 82 and 92 percent of all orders were completed, for all loops, within this interval. Id.

As this sample suggests, SWBT is reliably performing its part of the coordinated conversion process. SWBT's Performance Measure 114 reports upon the percentage of coordinated cutovers in which SWBT prematurely disconnects the customer prior to the scheduled conversion time – i.e., before the CLEC is expected to be ready to accept the customer. Id. ¶ 661 & Attach. B. From August 1999 to October 1999, SWBT consistently bettered the Texas PUC's benchmark of no more than 2 percent premature disconnects, showing virtually no premature disconnects. This was true for all types of coordinated conversions, including loops with interim number portability and loops with long-term number portability. See id. ¶¶ 664-668 & Attach. C. A joint reconciliation of coordinated conversion data between SWBT and AT&T's subsidiary, TCG, confirmed the accuracy of SWBT's data. Id. ¶ 657.

Performance Measure 115 assesses whether SWBT was late in delivering the customer to the CLEC. Id. ¶ 661. Unlike premature disconnections, delays in beginning the cutover are not associated with service outages. Id. ¶ 657. Nevertheless, SWBT again has a consistent record of bettering the Texas PUC's benchmarks. Id. ¶¶ 664-673 & Attach. C. This is true even after the

⁵¹ See New York Order ¶ 292 (one-hour interval applicable only to smaller orders of less than 10

adjustments to this measure brought about by the SWBT/TCG re conciliation. See id. ¶¶ 657-659.

As part of its independent review of SWBT's systems and processes, Telcordia made a number of recommendations for improvement of SWBT's provisioning processes. SWBT has addressed and resolved each issue. See Conway Aff. ¶¶ 83-86, 95 & Attach. K.

E. Checklist Item (v): Unbundled Local Transport

Section 271(c)(2)(B)(v) requires SWBT to offer local transport unbundled from switching or other services. As discussed here and above in Part II.C, SWBT satisfies this requirement, a fact the Texas PUC has confirmed. Deere Aff. ¶¶ 111-128; Auinbauh Aff. ¶¶ 98-104; see Apr. 29, 1999 Open Meeting Tr. at 26-29.

Dedicated Transport. Dedicated transport is available at standard transmission speeds of up to OC-48, and is available between a SWBT tandem or end office and a CLEC tandem or end office. Id. ¶¶ 79-83; Deere Aff. ¶¶ 112-113. CLECs may request dedicated transport with levels of capacity higher than OC-48 through the Special Request process. Deere Aff. ¶ 125. SWBT also permits CLECs to use dark fiber as an unbundled element to provide their own dedicated transport. Id. ¶ 128; Texas 271 Agreement Attach. 6, § 8.2.2. SWBT makes available cross-connections for use with unbundled dedicated transport. Deere Aff. ¶ 122. In addition, SWBT offers CLECs use of its Digital Cross-Connect System ("DCS") – which allows CLECs to exchange signals between high-speed digital circuits without returning the circuits to analog electrical signals – with the same functionality that SWBT provides its interexchange carrier customers. Id. ¶¶ 129-140.

lines).

SWBT's unbundled dedicated interoffice transport trunks are engineered to the same blockage levels as dedicated trunks SWBT uses to serve its own interexchange carrier and end user customers. Id. ¶¶ 37-40. However, it is the CLEC's responsibility to order additional trunks from SWBT when blockage increases above acceptable levels. Id. ¶ 38.

Shared Transport. In accordance with the proposed "shared transport" requirements of the Commission's UNE Remand Order, SWBT makes available shared (or "common") transport between SWBT central office switches, between SWBT tandem switches, and between SWBT tandem switches and SWBT central office switches. See Auinbauh Aff. ¶ 84; Deere Aff. ¶ 126. This shared transport offering enables CLECs to have their traffic carried on the same transport facilities that SWBT uses for its own traffic. Auinbauh Aff. ¶ 84; Deere Aff. ¶ 126. CLECs using shared transport have access to the same routing tables SWBT uses for its retail operations. Auinbauh Aff. ¶ 84; Deere Aff. ¶ 126. These CLECs may use shared transport to carry originating access traffic from, and terminating access traffic to, customers to whom the CLEC is providing local exchange service, while collecting the associated access charges. Auinbauh Aff. ¶ 84.

Enhanced Extended Loop. As discussed in Part II.C, above, under the Texas 271 Agreement SWBT will combine unbundled 2- or 4-wire analog or digital loops with unbundled voice-grade DS0, DS1, or DS3 dedicated transport to provide new EEL arrangements. Id. ¶¶ 73-74; Texas 271 Agreement Attach. 6, § 14.7. CLECs may use EELs that include 2- or 4-wire analog or 2-wire digital loops and are assembled by SWBT to provide circuit- or packet-switched telephone exchange services to the CLEC's end-user customers, and associated access services. Texas 271 Agreement Attach. 6, § 14.7.1. EEL arrangements that include 4-wire digital loops and are assembled by SWBT may be used for the provision of circuit-switched telephone

exchange service to the CLEC's end-user customers, and associated access services. Id. These terms and conditions associated with SWBT's agreement to assemble new EEL combinations are more generous than the terms that will be required under the UNE Remand Order, which addressed "existing combinations of loop and transport between the end user and the incumbent LEC's serving wire center" (§ 486 (emphasis added)); opened a further proceeding regarding transport links to interexchange carrier points of presence; and permitted incumbent LECs to restrict use of converted special access facilities for access bypass. See UNE Remand Order §§ 480, 486-489, 494-496; Supplemental Order, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, CC Docket No. 96-98, FCC 99-370 (rel. Nov. 24, 1999); see also New York Order § 235.

Performance. Relevant performance measures include average installation intervals, see Dysart Aff. § 336, installations completed within specified intervals, see id. § 312, the causes and consequences of missed due dates, see id. §§ 370, 376, 386, 387, 391, 393, 399, and trouble reports, see id. §§ 485, 490. Although disaggregated reporting has resulted in very few months and regions where more than 10 data points were recorded, available data confirm CLECs' nondiscriminatory access to dedicated and shared transport elements. For example, in Houston in October 1999, trouble reports occurring within 30 days for DS-1 transport trunks installed for CLECs were at parity with SWBT retail, as were trouble reports for DS-3 dedicated transport in Dallas/Ft. Worth in January, February, and April 1999, and Central/West Texas in April and August 1999. Id. §§ 370, 374. SWBT has provided parity service with regard to the trouble report rate for DS-1 dedicated transport for all market areas in the last 12 months where there with sufficient data. Id. § 485.

Pricing. The Texas PUC set cost-based prices for unbundled shared and dedicated transport in its Mega-Arbitration proceeding. Auinbauh Aff. ¶¶ 116-117, 120; see Texas 271 Agreement Attach. 6, App. Pricing - UNE; SWBT/AT&T Agreement Attach. 6, App. Pricing - UNE.

F. Checklist Item (vi): Unbundled Local Switching

Southwestern Bell also satisfies section 271(c)(2)(B)(vi), which requires that BOCs make available local switching unbundled from transport, local loops, and other services. SWBT provides CLECs unbundled switching capability with exactly the same features and functionality available to SWBT's own retail operations. This offering is proven through actual commercial provisioning, as SWBT is furnishing more than 125,000 unbundled switch ports in Texas, mostly in combination with unbundled local loops. Habeeb Aff. Attach. E. The Texas PUC has found that SWBT's unbundled switching offerings fully satisfy the checklist requirements. Final Staff Report at 71-75.

Available Facilities and Functions. SWBT provides requesting carriers access to line-side and trunk-side switching facilities, plus the features, functions, and capabilities of the switch. See Deere Aff. ¶¶ 144-147; Auinbauh Aff. ¶ 85. SWBT's offerings include, among other things, the connection between a loop termination and a switch line card, Deere Aff. ¶ 145; the connection between a trunk termination and the trunk card, id. ¶ 146; analog and ISDN basic and primary rate interface trunk ports, id. ¶ 153; all vertical features the switch is capable of providing, id. ¶¶ 130, 137; and any technically feasible routing features, such as the ability to route calls to a CLEC's own directory assistance and operator services facilities over CLEC-designated trunks, id. ¶¶ 149-151. SWBT also provides CLECs access to all call origination and completion capabilities of the switch, including capabilities for intraLATA and interLATA calls.

Id. ¶ 148. SWBT furnishes CLECs with usage records that enable them to collect from their customers all access and/or toll charges associated with these capabilities. Auinbauh Aff. ¶¶ 86-89.

Customized Routing. SWBT provides two methods by which CLECs using unbundled local switching may have calls “custom routed” according to their own specifications. These are Advanced Intelligent Network (“AIN”) and line class codes. Deere Aff. ¶¶ 147-148. AIN is the standard method. Id. ¶ 147.⁵² AIN is a vendor-independent network architecture that allows the creation of customized telecommunications services. See Deere Aff. ¶¶ 256-266; Part II.J, infra (discussing AIN). The Texas PUC established cost-based prices for customized routing via AIN in its Mega-Arbitration proceeding. Texas 271 Agreement Attach. 6, § 5.2.3 & App. Pricing – UNE. In a few low-volume applications where AIN is not technically feasible (such as for hotel/motel services, certain coin services, and ports using voice-activated dialing), SWBT employs line class codes to custom-route CLEC calls. Deere Aff. ¶ 148.

Trunk Ports, Unbundled Tandem Switching and Usage Information for Billing. As discussed above in connection with shared transport, SWBT provides CLECs access to trunk ports on a shared basis, with access to routing tables resident in SWBT’s switch. Id. ¶ 150; see Part V E, supra. CLECs can obtain from SWBT the usage data needed to bill access charges for all their customers’ traffic, including originating 800-number and terminating access services. Auinbauh Aff. ¶¶ 86-99; see generally Second Louisiana Order, 13 FCC Rcd at 20733-34, ¶ 230. Unbundled tandem switching also is available. Auinbauh Aff. ¶ 126.

⁵² In the Commission’s UNE Remand proceeding, AT&T noted that issues surrounding customized routing in Texas have been “resolve[d]” and the AIN solution has been implemented.

Performance Measures. SWBT maintains several performance measurements related to this checklist item, measuring the average time to return a FOC for unbundled switching, missed due dates due to SWBT's lack of facilities, average delay for missed due dates due to lack of facilities, average delay for SWBT-caused missed due dates, and SWBT-caused missed due dates that are greater than 30 days. Deere Aff. ¶ 157; see Dysart Aff. Attach. B. As with unbundled transport, although CLEC order volumes have permitted only a few statistically significant results for these measures, the available data confirm that SWBT is providing a level of access to unbundled local switching that allows efficient CLECs to compete. See Dysart Aff. ¶¶ 137, 149. For instance, for the last 8 months with more than 10 data points, the intervals in which SWBT installed UNE loop/switch ports were at parity with SWBT retail operations. Id. ¶¶ 183-184, 191-192. The same is true for instances where SWBT has missed due dates due to lack of facilities. Id. ¶ 209.

G. Checklist Item (vii): Nondiscriminatory Access to 911, E911, Directory Assistance, and Operator Call Completion Services

Southwestern Bell satisfies the requirements of checklist item (vii), 47 U.S.C. § 271(c)(2)(B)(vii), by making emergency, directory assistance ("DA"), and operator services ("OS") available to carriers that want them, as the Texas PUC has found. See generally Deere Aff. ¶¶ 183-201; Rogers Aff. (App. A, Part A-2, Tab 6); Jan. 20, 1999 Open Meeting Tr. at 128-129 (App. C-1, Tab 176). Indeed, SWBT has gone beyond the requirements of section 271 by committing, as part of the Texas 271 Agreement, to provide access to DA services and OS on an unbundled basis at UNE prices for 2 years for service to business customers and 3 years for

UNE Remand Order n.924; Comments of AT&T Corp. on Second Further Notice of Proposed Rulemaking, CC Docket No. 96-98, at 127 (FCC filed May 26, 1999).

residential customers, regardless of their removal from the list of mandatory UNEs. See Texas 271 Agreement Attach. 6, §§ 14.3.1, 14.4.1; see also UNE Remand Order ¶¶ 468-473 (distinguishing requirements of section 251(c)(3) from those of section 271).

911. 911 services allow telephone subscribers quick access to emergency assistance. With E911 service, the governmental body responding to an emergency call automatically receives the name and location of the caller, allowing for fast, efficient emergency response. SWBT provides CLEC customers and its own retail customers identical access to the type of 911 service selected by the governmental body responsible for 911 service. Deere Aff. ¶ 184; see, e.g., Texas 271 Agreement Attach. 15, § 2; SWBT/AT&T Agreement Attach. 15, § 2; SWBT/ETS Agreement Attach. V, § II (App. B, Tab 20). CLECs may provide 911 access service directly to the governmental body, or they may interconnect to SWBT's existing service arrangement at the government's request. Deere Aff. ¶ 184.

At a CLEC's request, SWBT stores CLEC customer information in SWBT's E911 Database Management System, transports E911 calls from the CLEC's chosen switching facilities to SWBT's E911 control office, switches those calls through the SWBT control office to the appropriate Public Safety Answering Point ("PSAP"), and transmits the relevant customer information to the PSAP along with the E911 call. Id. ¶ 185. SWBT provides and maintains all equipment necessary for these services. Id.

SWBT maintains dedicated E911 circuits according to CLECs' specifications. Id. ¶ 186. SWBT has installed 400 E911 trunks to serve CLECs in Texas. Habeeb Aff. Attach. E. Because SWBT does not have access to calling and blockage data on CLEC-originating trunks, however, CLECs must determine the number of dedicated E911 trunks they require and place timely orders for new trunks. Deere Aff. ¶ 186.

CLECs have the ability to enter data about their customers into several databases known collectively as the “911 database.” These databases are the Master Street Address Guide, the Selective Routing database, and the Automatic Location Identifier database. See generally id. ¶¶ 188-201; Dysart Aff. ¶¶ 608-614. SWBT provides CLECs with all documentation they need to operate the E911 system and download and maintain their own end-user records. Deere Aff. ¶ 188. SWBT also furnishes CLECs with all necessary street address information for creating the necessary customer files for E911 Automatic Location Identification. Id. SWBT uses the same procedures and personnel to detect errors in the 911 database, without regard to whether the data relate to a SWBT end-user customer or a CLEC customer. Id. ¶¶ 196-197; Dysart Aff. ¶¶ 606-607.⁵³

Facilities-based CLECs receive statistical reports showing how many errors were identified in their customer records, as well as an error file that explains the reasons each rejected record failed SWBT’s automated edits. Deere Aff. ¶ 196; Dysart Aff. ¶ 611. Like SWBT, facilities-based CLECs are responsible for resolving errors in their customers’ records; SWBT, however, will correct simple errors that do not require the issuance of a service order or contacting the customer. Deere Aff. ¶¶ 196-197; Dysart Aff. ¶ 610. Rejected records relating to resellers’ customers are included in SWBT’s own error file and are corrected by SWBT in the same manner as SWBT’s retail records. Deere Aff. ¶ 197; Dysart Aff. ¶ 606. SWBT has

⁵³ SWBT has developed a mechanized process to ensure 911 listing information is not deleted in the process of converting SWBT retail customers to CLECs’ UNE-based service. Deere Aff. ¶ 181. Additionally, in response to recommendations by the Texas PUC, and with the input of CLECs during the collaborative process, SWBT provides CLEC resellers and CLECs using unbundled switching a “compare” file with their customers’ 911 database information. Id. ¶ 179.

procedures in place that protect the confidentiality of the customer-specific information in the 911 database. Deere Aff. ¶ 195.

SWBT has established a performance measure to assess the accuracy of CLECs' E911 database updates. Dysart Aff. ¶ 613. For August, September, and October 1999, there were no errors at all in the CLECs' updates. Id. ¶ 617 & Attach. B, Measurement 103. SWBT likewise has uniformly provided CLECs parity in the timeliness of 911 database updates, id. ¶ 618, and is implementing an additional performance measurement to track the time it takes to correct an error in the E911 database once it is detected, id. ¶ 616.

Directory Assistance/Operator Services. SWBT's DA offerings allow CLECs (including facilities-based carriers as well as resellers) to obtain nondiscriminatory access to DA, DA call completion, call branding, and rate quotation services. See generally Rogers Aff. CLECs may elect to provide DA services to their customers or route their customers' DA calls to themselves or a third-party provider, or SWBT will provide these services. Id. ¶¶ 4-7.

More than 100 CLECs in Texas, 37 of them facilities-based, are utilizing SWBT's DA offerings. Id. ¶ 14; Habeeb Aff. Attach. E. Customers of CLECs that have opted to have SWBT provide DA services obtain DA through the same dialing arrangements used by SWBT's own customers, so there is no unreasonable dialing delay. Rogers Aff. ¶ 38; see 47 C.F.R. § 51.217. The Texas PUC set SWBT's rates for wholesale DA services using the TELRIC methodology. See Phase II Arbitration Award App. B, at 4. As already noted, SWBT committed to abide by those rates in current agreements and the Texas 271 Agreement notwithstanding removal of DA from the Commission's list of mandatory UNEs. See generally UNE Remand Order ¶¶ 438-464 (declining to include OS and DA on list of UNEs).

CLECs that provide their own DA services can obtain direct, nondiscriminatory access to SWBT's DA database, obtaining listing information by searching the same DA database that SWBT's DA operators use. Rogers Aff. ¶ 27. This direct access is available through the terms of the Texas 271 Agreement, as well as through SWBT's Texas PUC-approved Directory Assistance Listings Tariff. Texas 271 Agreement Attach. 18, § 8.0; Rogers Aff. n.29. SWBT also negotiates reciprocal licensing agreements under which the CLEC and SWBT exchange listing information on a bulk basis. Rogers Aff. ¶¶ 28-29. Consistent with this Commission's position regarding provision of listing information, SWBT provides requesting carriers all available DA listings information for SWBT and all other incumbent LECs and CLECs. Id. ¶ 20; see Second Louisiana Order, 13 FCC Rcd at 20745, ¶ 249.

SWBT's OS include fully automated call processing, semi-automated call processing, station-to-station operator handled calls, line status verification, busy line interrupt, operator transfer, call branding, and rate quotation services. Rogers Aff. ¶¶ 12, 22, 24-27; see Texas 271 Agreement Attach. 1, App. OS - Resale & Attach. 23; SWBT/AT&T Agreement Attach. 1, App. OS - Resale & Attach. 23. SWBT provides nondiscriminatory access to each of these services. Rogers Aff. ¶¶ 12-22; Dysart Aff. ¶¶ 525-530. OS calls from SWBT's retail customers and from CLECs' customers are processed by the same OS system and personnel in the order in which they are received, which assures CLEC customers the same answer performance as SWBT retail and other wholesale customers. Rogers Aff. ¶¶ 38-39; Dysart Aff. ¶¶ 525-529. CLECs are billed cost-based rates for operator-assisted calls on an operator work-second basis and for fully automated calls on a completed call basis. Rogers Aff. ¶ 31. For resale customers, the rates are SWBT's retail operator services rates less the 21.6 percent resale discount set by the Texas PUC pursuant to section 252(d)(3). Id. ¶ 30; Texas 271 Agreement Attach. 1, Ex. A.